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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

STEPHEN CHANG and HONGYAN	)	No. C 07-3562 SBA
CHEN,	)	
	)	
Plaintiffs,	)	
	)	EX PARTE APPLICATION TO
v.	)	RESCHEDULE HEARING ON CROSS
	)	MOTIONS FOR SUMMARY
MICHAEL CHERTOFF, Secretary,	)	JUDGMENT; [PROPOSED] ORDER
Department of Homeland Security;	)	
ROBERT S. MUELLER, III, Director of the	)	
Federal Bureau of Investigation,	)	
	)	
Defendants.	)	

On September 10, 2007, Defendants answered Plaintiffs' Complaint and moved to dismiss the Federal Bureau of Investigation. On the same date, Plaintiffs moved for summary judgment. Defendants have opposed Plaintiffs' motion, and cross moved for summary judgment. Hearing is set for October 16, 2007, on both Defendant Mueller's motion to dismiss and Plaintiffs' motion for summary judgment. The current schedule does not allow Defendants time to reply to Plaintiffs' opposition to their cross motion for summary judgment.

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1 Accordingly, Defendants hereby request the Court to extend the hearing date on the cross  
2 motions for summary judgment from October 16, 2007, to October 30, 2007,<sup>1</sup> at 1:00 p.m.  
3 Undersigned counsel has communicated with counsel for Plaintiffs, who oppose this request.

4 Dated: October 2, 2007

Respectfully submitted,

5 SCOTT N. SCHOOLS  
6 United States Attorney

7 /s/  
8 MELANIE L. PROCTOR  
9 Assistant U.S. Attorney

10  
11 **ORDER**

12 Defendants have shown good cause for the extension request. The hearing on the cross  
13 motions for summary judgment is hereby rescheduled to October 30, 2007. IT IS SO ORDERED.

14 Dated:

15 SAUNDRA B. ARMSTRONG  
16 United States District Court Judge  
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28 <sup>1</sup>Defendants' counsel currently has a hearing in San Jose on October 23, 2007, and thus  
cannot be in Oakland on that date.